

AN
ORDINANCE
of the
CITY OF
MINNEAPOLIS

By

Zerby

Amending Title 14, Chapter 362 relating to Liquor Licenses.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 362.100(a) of the above-entitled ordinance be amended to read as follows:

362.100. Application procedure. (a) Every application for a license to sell liquor, including applications for renewal of existing licenses or for recording changes in the ownership or management of establishments having existing licenses, or for an expansion of licensed premises, shall be made only upon forms furnished by the department of licenses and consumer services and when completed by the applicant, shall be filed with said department, and a record of the same made therein. The application shall then be referred by said department to the license inspector of the police department, who, upon having completed investigation thereof, shall direct the same to the department of licenses and consumer services ~~for referral to the appropriate committee of the city council. The council member of the ward embracing the location of such proposed liquor business shall be notified by the department of licenses and consumer services of the pendency of such application and of any public hearing thereon.~~

Section 2. That Section 362.120 of the above-entitled ordinance be amended by adding thereto a new subdivision (y) to read as follows:

362.120. Contents of application.

(y) Evidence that notification of the application has been mailed or delivered to the ward council member, the neighborhood group(s), and the business association(s), if any, for the area in which the premises is located. The neighborhood group(s) and the business association(s) to be notified are those organizations that appear on a list maintained by the planning department for this purpose. The notification shall include the following information: the type of license applied for; the address of the premises for which the license is sought; the applicant's name,

address and telephone number; and the type of entertainment, if any, that the applicant intends to conduct on the premises.

Section 3. That Section 362.260 of the above-entitled ordinance be amended to read as follows:

362.260. Investigation. The police license inspector shall investigate into the truthfulness of the statements set forth in the application, and into any other matters he or she considers relevant to the application, and shall endorse his or her findings thereon. The applicant shall furnish to the police license inspector such evidence as he or she may reasonably require in support of the statements set forth in the application. Upon completing his or her report, the police license inspector shall return the application to the office of the department of licenses and consumer services. The applicant shall file such security as may be required by law with the office of the department of licenses and consumer services, which security shall be approved as to form and execution by the city attorney.

Section 4. That Section 362.280 of the above-entitled ordinance be and is hereby repealed:

~~**362.280. When application to be published.** If the application so made shall be for a new license, or for recording a change in ownership or management of a liquor business at an existing location, the application shall be published forthwith once each week for two (2) successive weeks, and no such license shall be granted unless the application therefor shall have been so published.~~

Section 5. That Section 362.290 of the above-entitled ordinance be amended to read as follows:

362.290. Hearings on applications. If the application shall be for a new license under this chapter, including an application for a new Class A through Class D liquor license for premises which have not previously been licensed for music, dancing or live entertainment, such application shall be ~~read by the city clerk at the next regular meeting of the city council, and shall then be~~ referred to the appropriate committee of the city council. The department of licenses and consumer services shall notify by mail all residents, to the extent such notice is feasible, and property owners within ~~twelve hundred (1200)~~ six hundred (600) feet of the main entrance of the proposed establishment, except that where the application is for a ~~new~~ license within a B4 zoned district or in the downtown or East Bank commercial districts described in

section 362.430, the department shall only be required to notify all residents and property owners within three hundred (300) feet of the main entrance of the proposed establishment. Said notice shall go to the owners of record in the office of the county auditor of the time and place at which such application shall be considered by the appropriate committee of the city council. The director shall also notify the appropriate neighborhood group(s) and business associations(s) of the time and place of the hearing. The director of the licenses and consumer services department shall assess and the applicant shall remit to the Minneapolis Finance Department prior to public notification, all specific expenses incurred by the city, including those from identification of the property residents and owners, production of the notice, interdepartmental processing fees, and postage costs. ~~The licenses and consumer services committee shall conduct no hearings thereon until the two (2) weeks' published notice on the pendency of said application shall have expired, nor until the police license inspector's report relating to the applicant's previous operation of liquor businesses, if any, shall have been presented to the committee.~~ The first hearing on said application shall be held at the time and place regularly fixed for the meeting of the committee.

After the first hearing on any application for a new license or for a new Class A through Class D license where any of the area within three hundred (300) feet is within a residentially zoned district, the council member of the ward where the proposed premises would be located may hold a meeting on the application during evening hours at a location in the approximate vicinity of the premises proposed to be licensed. If that council member holds such a meeting, he or she shall notify the appropriate committee of the city council of the time and place of the meeting and that committee shall not act on the application until after that meeting, if that meeting is held within forty-five (45) days after the first hearing on the application. If the council member of the ward where the proposed premises would be located does not hold such a meeting within forty-five (45) days after the first hearing on the application, the committee or two (2) of its members or its staff shall hold a meeting on the application during evening hours at a location in the approximate vicinity of the premises proposed to be licensed. The chair of said committee shall notify the council member of the ward affected by the application of the time and place when the committee will consider the application, and the application shall not be disposed of by the committee until after such meeting if the application is for a new license or a new Class A through Class D license and until after the application shall have been brought before and considered by the committee at two (2) regular meetings thereof.

The final action of the committee upon any application referred to in this chapter shall be reported to the city council and by it considered and acted upon according to law.